## UNITED STATES DISTRICT COURT EASTERN DISTRICT OF NORTH CAROLINA WESTERN DIVISION

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)	No. 5:11-CV-694-BR
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## **Decision by Court.**

This matter is before Senior United States District Judge W. Earl Britt on the 19 February 2013 Memorandum and Recommendation of U.S. Magistrate Judge James E. Gates.

**IT IS ORDERED, ADJUDGED AND DECREED** that the Court adopts the Memorandum and Recommendation as its own. All pending motions are DENIED as moot, and this case is DISMISSED. The CLERK is DIRECTED to close the case.

## This judgment filed and entered on March 22, 2013, and served on:

Randy L. Thomas (via US Mail at 225 Arnette Street, Aberdeen, NC 28315) Seth Wood (via CM/ECF Notice of Electronic Filing) Daniel Clark (via CM/ECF Notice of Electronic Filing)

March 22, 2013

/s/ Julie A. Richards, Clerk of Court